

1 The Honorable Benjamin H. Settle  
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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

9 LINDA GILMER,

10 Plaintiff,

11 v.

12 CENTENE CORPORATION, et al.,

13 Defendants.

Case No. 3:16-cv-05685-BHS

**DEFENDANTS' STATUS REPORT**

15 Defendants Centene Corporation, Centene Management Company, LLC, and  
16 Coordinated Care Corporation (“Defendants”) respectfully submit this Status Report to provide  
17 an update on the status of the parties’ Joint Status Report, which the Court ordered the parties to  
18 submit in its order dated December 19, 2016.

19 **I. BACKGROUND**

20 Plaintiff filed this case on May 6, 2016, in the United States District Court for the  
21 Western District of Missouri, Western Division, asserting a single federal cause of action under  
22 the Sarbanes-Oxley Act, 18 U.S.C. 1541A, for wrongful termination. Dkt. #1. Defendants filed  
23 a Motion to Dismiss the Case for Improper Venue or, in the Alternative, to Transfer Venue. Dkt.  
24 #10. Plaintiff consented to the transfer of the matter to this Court, and on August 3, 2016,  
25 Defendants’ motion to transfer venue was granted. Dkt. #19.

1       On August 5, 2016, the Clerk of this Court filed a letter directing the parties to associate  
 2 local counsel in the District, pursuant to the requirements of LCR 83.1(d)(1). Defendants  
 3 immediately complied with this requirement on August 12, 2016. Dkt. #22-24. Plaintiff did not  
 4 comply with the Court's directive until December 20, 2016. Dkt. #34-35.

5       On September 12, 2016, the Court entered an Order Regarding Initial Disclosures, Joint  
 6 Status Report, and Early Settlement, which set initial case scheduling deadlines in this matter for  
 7 December 2016 and January 2017. Dkt. #28. On December 19, 2016, the Parties filed a  
 8 Stipulated Motion to extend those deadlines while Plaintiff secured local counsel. Dkt. #29. The  
 9 Court granted the Parties' Stipulated Motion, and continued the deadline for the FRCP 26(f)  
 10 Conference to January 25, 2017 and the Combined Joint Status Report to February 15, 2017.  
 11 Dkt. #30. Defendants filed their Answers to Plaintiff's Complaint on December 20, 2016. Dkt.  
 12 #31-33.<sup>1</sup>

13       **II. STATUS REPORT AS TO INITIAL SCHEDULING DEADLINES**

14       Defendants have made good-faith efforts to cooperate with Plaintiff in complying with  
 15 the Court's initial scheduling deadlines. Defendants' counsel contacted Plaintiff's counsel on  
 16 January 20, 2017 to propose dates for the FRCP 26(f) Conference. *See* Exhibit 1. Plaintiff's  
 17 counsel responded that Plaintiff intended to seek dismissal of this action, and re-file her claim in  
 18 state court as a wrongful termination in violation of public policy claim. *See* Exhibit 2. In  
 19 response to Plaintiff's request that Defendants stipulate to the dismissal of this action,  
 20 Defendants asked that Plaintiff provide a copy of her proposed state-law complaint. *Id.* Plaintiff  
 21 refused, and stated on January 27, 2017 that she would file a motion for an order dismissing the  
 22 case. *Id.* Defendants responded on the same day that they would oppose such a motion. *Id.*

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 26       <sup>1</sup> The Parties had agreed to extend the deadline for Defendants' Answers, which the Court approved. Dkt. #29-30.



## **CERTIFICATE OF SERVICE**

I am a resident of the State of Washington, over the age of eighteen years, and not a party to the within action. My business address is One Union Square, 600 University Street, Ste. 3200, Seattle, WA 98101. On February 15, 2017, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF, which will send notification of such filing to the following:

<u>Attorneys for Plaintiff</u>	<u>Attorneys for Plaintiff</u>
<p>Lewis M. Galloway <i>Pro Hac Vice</i> <a href="mailto:lewis@lglawllc.com">lewis@lglawllc.com</a> LG LAW LLC 1600 Genessee St. Suite 918 Kansas City, MO 64102 Phone: 877.887.7608 Fax: 816.326.0820</p>	<p>Jesse Andrew Wing, WSBA #27751 <i>Pro Hac Vice</i> <a href="mailto:jessew@mhb.com">jessew@mhb.com</a> MACDONALD HOAGUE &amp; BAYLESS 705 Second Avenue, Suite 1500 Seattle, Washington 98104 Phone: 206.622.1604 Fax: 206.343.3961</p>

Executed on this 15th day of February, 2017.

s/ Sally Swearinger  
Sally Swearinger  
LITTLER MENDELSON P.C.  
[sswearinger@littler.com](mailto:sswearinger@littler.com)

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